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DEPARTMENT FOR S/WCI, EUR/SCE

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TAGS: [KAWC](#) [PREL](#) [HR](#)

SUBJECT: ICTY'S DEL PONTE ON CROATIA: COMMITMENT BUT NOT  
YET FULL COOPERATION

Classified By: Ambassador Ralph Frank, Reasons 1.4 (b) & (d)

SUMMARY

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1. (C) At the close of her short visit to Croatia, ICTY Chief Prosecutor Carla del Ponte briefed that she was convinced that GoC efforts to arrest fugitive Ante Gotovina are sincere but that commitment does not equal full cooperation with the Tribunal. She indicated that by September she would be in a position to better assess the GoC effort and stated that full cooperation with the Tribunal would not require Gotovina to be in The Hague. She also said that she will recommend that the Vukovar Three case remain in The Hague and not/not be transferred to either Croatia or Serbia and Montenegro. END SUMMARY.

2. (C) ICTY Chief Prosecutor Carla del Ponte briefed the U.S. and EU ambassadors on June 3 on the status of Croatia's cooperation with the Tribunal following her June 2 meeting in Zagreb with the Prime Minister, Foreign Minister and Justice Minister. Although her comments tracked with her May 25 report to the UN Security Council which she will present formally on June 13, del Ponte emphasized that she had no doubt about the political commitment of PM Sanader and the GoC to arrest ICTY fugitive Ante Gotovina. Repeating comments from her press briefing following her meeting with PM Sanader, del Ponte said that commitment is not/not the same as full cooperation. Del Ponte's political advisor, Anton Nikoforov, summarized the point that a plan is "a plan and results are results." So far results are not satisfactory therefore there is not full cooperation.

3. (C) Del Ponte said that she is convinced that the GoC is seriously undertaking the measures outlined in PM Sanader's six point plan. However, she declined to elaborate what those steps were because of their sensitive nature. She said that the GoC had abandoned efforts to convince Gotovina to surrender voluntarily and is now working to destroy his support network. Responding to the German ambassador's question of whether full cooperation could be possible without Gotovina, del Ponte said she was convinced the GoC is doing all that can be done, but the process is only just starting and it was too early to make an assessment. However, when asked about next steps after June 13, she said that at the beginning of September, she would be able to make a final assessment of progress, regardless of whether Gotovina is in The Hague. She added that Gotovina in The Hague was not/not required for full cooperation.

4. (C) Del Ponte said she would discuss Croatia's cooperation with Luxembourg FM Asselborn next week. She also drew a distinction between Gotovina on the one hand, and Mladic and Karadzic on the other: the latter two are most responsible for genocide, she said.

5. (C) Del Ponte briefed on the materials found last weekend in Italy allegedly connected to Gotovina. She said that the briefcase reportedly tossed from a dark BMW contained a photocopy of Gotovina's fake Croatian passport in the name of "Christian Horvat" as well as an apparently genuine Italian identity card with Gotovina's picture and the Horvat name.

6. (C) On 11 bis case transfers, del Ponte said that she expected a decision on the Norac and Ademi cases soon. On the Vukovar Three case, she said that following her visits to Belgrade and Zagreb, she would speak to the President of the trial chamber on Monday (June 6) regarding her preference to keep the trial in The Hague.

FRANK

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